

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

AUG 05 2008

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

PACIFIC SOUND RESOURCES, a
Washington non-profit corporation,

Plaintiff - Appellant,

V.

BURLINGTON NORTHERN & SANTA
FE RAILWAY COMPANY, a Delaware
corporation; JH BAXTER & CO, a
California limited partnership; J. H.
BAXTER & CO, a California corporation;
JH BAXTER & CO, INC, a California
corporation,

Defendants - Appellees.

No. 06-35455

D.C. No. CV-04-01654-RSL

Western District of Washington,
Seattle

MANDATE

PACIFIC SOUND RESOURCES, a
Washington non-profit corporation,

Plaintiff - Appellant,

V.

BURLINGTON NORTHERN & SANTA
FE RAILWAY COMPANY, a Delaware
corporation; JH BAXTER & CO, a
California limited partnership; J. H.
BAXTER & CO, a California corporation;
JH BAXTER & CO, INC, a California
corporation,

Defendants - Appellees.

No. 07-35295

D.C. No. CV-04-01654-RSL

Western District of Washington,
Seattle

MANDATE

The judgment of this Court, entered 7/11/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

By: Gabriela Van Allen
Deputy Clerk